Applicant: Jeffrey B. Miller Attorney's Docket No.: 08472-720003 / MGH-1176.2 Miller - Cont.

Serial No.: 09/909,237

Filed : July 19, 2001

Page : 2 of 9

## Amendments to the Claims:

This listing of claims replaces all prior versions and listings of claims in the application:

## Listing of Claims:

1-20 (Canceled)

21 (Withdrawn) An isolated skeletal muscle stem cell.

22 (Withdrawn) A clone comprising a plurality of isolated skeletal muscle stem cells.

23 (Withdrawn) A purified preparation of mammalian cells, at least 50% of which are muscle stem cells that can produce skeletal muscle cells.

24 (Withdrawn) The purified preparation of mammalian cells of claim 23, wherein at least 95% of the cells are muscle stem cells that can produce skeletal muscle cells.

- 25 (Currently Amended) An isolated <u>human</u> muscle stem cell that produces, as progeny, myoblasts.
- 26. (Previously Presented) The cell of claim 25, wherein the cell comprises an exogenous nucleic acid sequence.
- 27. (Currently Amended) The cell of claim [[25]] 26, wherein the exogenous nucleic acid sequence is operably linked to a muscle stem cell-active promoter.

Applicant: Jeffrey B. Miller Attorney's Docket No.: 08472-720003 / MGH-1176.2 Miller - Cont.

Serial No.: 09/909,237 : July 19, 2001

Filed

Page : 3 of 9

28. (Previously Presented) The cell of claim 27, wherein the muscle stem cell-active promoter is a Bcl-2 promoter.

- 29. (Previously Presented) The cell of claim 26, wherein the exogenous nucleic acid sequence encodes a marker protein.
- 30. (Previously Presented) The cell of claim 26, wherein the exogenous nucleic acid sequence encodes a cell surface polypeptide.
- 31. (Previously Presented) The cell of claim 26, wherein the exogenous nucleic acid sequence encodes a protein selected from the group consisting of CD8, influenza virus hemagglutinin, β-galactosidase, green fluorescent protein, catechol 2,3-dioxygenase, and aequorin.

## 32-33 (Canceled)

- 34. (Currently Amended) A clone comprising a plurality of isolated human muscle stem cells that produce, as progeny, myoblasts.
- 35. (Currently Amended) A purified preparation of mammalian cells, at least 50% of which are human muscle stem cells that can produce, as progeny, myoblasts.
- 36. (Currently Amended) The purified preparation of mammalian cells of claim 35, wherein at least 95% of the cells are human muscle stem cells that can produce, as progeny, myoblasts.
  - 37 (Withdrawn) An isolated cardiac muscle stem cell.

Applicant: Jeffrey B. Miller Attorney's Docket No.: 08472-720003 / MGH-1176.2 Miller - Cont.

Serial No.: 09/909,237

Filed : July 19, 2001

Page : 4 of 9

38 (Withdrawn) The cell of claim 37, wherein the cell comprises an exogenous nucleic acid sequence.

- 39. (Currently Amended) The cell of claim [[27]] 38, wherein the exogenous nucleic acid sequence is operably linked to a muscle stem cell-active promoter.
- 40. (Withdrawn) The cell of claim 39, wherein the muscle stem cell-active promoter is a Bcl-2 promoter.
- 41. (Withdrawn) The cell of claim 38, wherein the exogenous nucleic acid sequence encodes a marker protein.
- 42. (Withdrawn) The cell of claim 38, wherein the exogenous nucleic acid sequence encodes a cell surface polypeptide.
- 43. (Withdrawn) The cell of claim 38, wherein the exogenous nucleic acid sequence encodes a protein selected from the group consisting of CD8, influenza virus hemagglutinin, β-galactosidase, green fluorescent protein, catechol 2,3-dioxygenase, and aequorin.
- 44. (Withdrawn) The isolated muscle stem cell of claim 37, wherein the cell expresses an apoptosis-resistance gene.
- 45. (Withdrawn) The isolated muscle stem cell of claim 44, wherein the apoptosisresistance gene is Bcl-2.
  - 46. (Withdrawn) A clone comprising a plurality of isolated cardiac muscle stem cells.

Applicant: Jeffrey B. Miller Attorney's Docket No.: 08472-720003 / MGH-1176.2

Miller - Cont.

Serial No.: 09/909,237

: July 19, 2001 Filed

Page : 5 of 9

47. (Withdrawn) A purified preparation of mammalian cells, at least 50% of which are muscle stem cells that can produce cardiac muscle cells.

- 48. (Withdrawn) The purified preparation of mammalian cells of claim 47, wherein at least 95% of the cells are muscle stem cells that can produce cardiac muscle cells.
  - 49. (Withdrawn) The clone of claim 22, wherein the cells express Bcl-2.
  - 50. (Previously Presented) The clone of claim 34, wherein the cells express Bcl-2.
  - 51. (Withdrawn) The clone of claim 46, wherein the cells express Bcl-2.
- 52. (Withdrawn) The purified preparation of claim 23, wherein the muscle stem cells that can produce skeletal muscle stem cells express Bcl-2.
- 53. (Currently Amended) The purified preparation of claim 35, wherein the human muscle stem cells that can produce myoblasts express Bcl-2.
- 54. (Withdrawn) The purified preparation of claim 47, wherein the muscle stem cells that can produce cardiac muscle cells express Bcl-2.